

1  
2  
3 BILL NO. X- 79-10-31  
4

5 ANNEXATION ORDINANCE NO. X- 08-79

6 AN ORDINANCE AMENDING ANNEXATION  
7 ORDINANCE NO. X 05-79, AS AMENDED.

8 WHEREAS, heretofore on September 25, 1979, the Common  
9 Council of the City of Fort Wayne did pass Ordinance No.  
10 X 05-79, as Amended; and,

11 WHEREAS, said Ordinance was duly presented to the Mayor  
12 of the City of Fort Wayne on September 26, 1979, and approved  
13 and signed by the Mayor of the City of Fort Wayne, on September  
14 28, 1979 at 4:30 o'clock P.M., E.S.T.; and,

15 WHEREAS, said Ordinance as subsequently amended was  
16 received by the Common Council of the City of Fort Wayne from  
17 the City Plan Commission prior to September 1, 1979; and,

18 WHEREAS, the law of the State of Indiana was changed  
19 affecting annexations occurring after September 1, 1979 by  
20 IC 18-5-10-25 in that the provisions of Section 2 of said  
21 Annexation Ordinance No. X-05-79, as Amended were no longer  
22 applicable; and,

23 WHEREAS, in keeping with policy of the City Plan Commission  
24 adopted subsequent to the enactment of said IC 18-5-10-25  
25 said Section 2 in said Ordinance would no longer be applicable,  
26 but a new Section 2 should be substituted therefor; and,

27 WHEREAS, said City Plan Commission did recommend that a  
28 new Section 2 be substituted for said Section 2, as set forth  
29 in Annexation Ordinance No. X-05-79, as Amended, but through  
30 error and inadvertence the Common Council of the City of Fort  
31 Wayne failed to include said new Section 2, but did include  
32 the old Section 2 which is no longer the fiscal policy of the  
33 City of Fort Wayne, nor the law of the State of Indiana;  
34  
35

1  
2  
3 NOW THEREFORE in order to conform with the Indiana State  
4 Law IC 18-5-10-25 and the policy of the City of Fort Wayne:

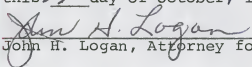
5 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF  
6 FORT WAYNE that Section 2 of Annexation Ordinance No. X-05-79  
7 as Amended be deleted in its entirety and the following new  
8 Section 2 be substituted in lieu thereof as follows:

9 SECTION 2. It is the policy of the City of Fort  
10 Wayne to furnish the above described territory  
11 within a period of one (1) year governmental  
12 services of a non-capital nature in a manner  
13 which is equivalent in standard and scope to  
14 those non-capital services provided to areas  
15 within the City which have similar topography,  
16 patterns of land utilization, and population  
17 density to the said described territory. It is  
18 also the policy of the City of Fort Wayne to  
19 provide services of a capital improvement  
20 nature to the annexed territory within three (3)  
21 years in the same manner as such services are  
22 provided to areas already in the City with  
23 similar topography, patterns of land utilization  
24 and population density, and in a manner consistent  
25 with federal, state, and local laws, procedures  
26 and planning criteria.

27 In all other respects except as hereinabove amended  
28 said Annexation Ordinance No. X-05-79 as Amended shall be  
29 in full force and effect as therein provided.  
30

31  
32  
33  
34  
35  
  
\_\_\_\_\_  
Councilman

36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100  
101  
102  
103  
104  
105  
106  
107  
108  
109  
110  
111  
112  
113  
114  
115  
116  
117  
118  
119  
120  
121  
122  
123  
124  
125  
126  
127  
128  
129  
130  
131  
132  
133  
134  
135  
136  
137  
138  
139  
140  
141  
142  
143  
144  
145  
146  
147  
148  
149  
150  
151  
152  
153  
154  
155  
156  
157  
158  
159  
160  
161  
162  
163  
164  
165  
166  
167  
168  
169  
170  
171  
172  
173  
174  
175  
176  
177  
178  
179  
180  
181  
182  
183  
184  
185  
186  
187  
188  
189  
190  
191  
192  
193  
194  
195  
196  
197  
198  
199  
200  
201  
202  
203  
204  
205  
206  
207  
208  
209  
210  
211  
212  
213  
214  
215  
216  
217  
218  
219  
220  
221  
222  
223  
224  
225  
226  
227  
228  
229  
230  
231  
232  
233  
234  
235  
236  
237  
238  
239  
240  
241  
242  
243  
244  
245  
246  
247  
248  
249  
250  
251  
252  
253  
254  
255  
256  
257  
258  
259  
260  
261  
262  
263  
264  
265  
266  
267  
268  
269  
270  
271  
272  
273  
274  
275  
276  
277  
278  
279  
280  
281  
282  
283  
284  
285  
286  
287  
288  
289  
290  
291  
292  
293  
294  
295  
296  
297  
298  
299  
300  
301  
302  
303  
304  
305  
306  
307  
308  
309  
310  
311  
312  
313  
314  
315  
316  
317  
318  
319  
320  
321  
322  
323  
324  
325  
326  
327  
328  
329  
330  
331  
332  
333  
334  
335  
336  
337  
338  
339  
340  
341  
342  
343  
344  
345  
346  
347  
348  
349  
350  
351  
352  
353  
354  
355  
356  
357  
358  
359  
360  
361  
362  
363  
364  
365  
366  
367  
368  
369  
370  
371  
372  
373  
374  
375  
376  
377  
378  
379  
380  
381  
382  
383  
384  
385  
386  
387  
388  
389  
390  
391  
392  
393  
394  
395  
396  
397  
398  
399  
400  
401  
402  
403  
404  
405  
406  
407  
408  
409  
410  
411  
412  
413  
414  
415  
416  
417  
418  
419  
420  
421  
422  
423  
424  
425  
426  
427  
428  
429  
430  
431  
432  
433  
434  
435  
436  
437  
438  
439  
440  
441  
442  
443  
444  
445  
446  
447  
448  
449  
450  
451  
452  
453  
454  
455  
456  
457  
458  
459  
460  
461  
462  
463  
464  
465  
466  
467  
468  
469  
470  
471  
472  
473  
474  
475  
476  
477  
478  
479  
480  
481  
482  
483  
484  
485  
486  
487  
488  
489  
490  
491  
492  
493  
494  
495  
496  
497  
498  
499  
500  
501  
502  
503  
504  
505  
506  
507  
508  
509  
510  
511  
512  
513  
514  
515  
516  
517  
518  
519  
520  
521  
522  
523  
524  
525  
526  
527  
528  
529  
530  
531  
532  
533  
534  
535  
536  
537  
538  
539  
540  
541  
542  
543  
544  
545  
546  
547  
548  
549  
550  
551  
552  
553  
554  
555  
556  
557  
558  
559  
560  
561  
562  
563  
564  
565  
566  
567  
568  
569  
570  
571  
572  
573  
574  
575  
576  
577  
578  
579  
580  
581  
582  
583  
584  
585  
586  
587  
588  
589  
590  
591  
592  
593  
594  
595  
596  
597  
598  
599  
600  
601  
602  
603  
604  
605  
606  
607  
608  
609  
610  
611  
612  
613  
614  
615  
616  
617  
618  
619  
620  
621  
622  
623  
624  
625  
626  
627  
628  
629  
630  
631  
632  
633  
634  
635  
636  
637  
638  
639  
640  
641  
642  
643  
644  
645  
646  
647  
648  
649  
650  
651  
652  
653  
654  
655  
656  
657  
658  
659  
660  
661  
662  
663  
664  
665  
666  
667  
668  
669  
670  
671  
672  
673  
674  
675  
676  
677  
678  
679  
680  
681  
682  
683  
684  
685  
686  
687  
688  
689  
690  
691  
692  
693  
694  
695  
696  
697  
698  
699  
700  
701  
702  
703  
704  
705  
706  
707  
708  
709  
710  
711  
712  
713  
714  
715  
716  
717  
718  
719  
720  
721  
722  
723  
724  
725  
726  
727  
728  
729  
730  
731  
732  
733  
734  
735  
736  
737  
738  
739  
740  
741  
742  
743  
744  
745  
746  
747  
748  
749  
750  
751  
752  
753  
754  
755  
756  
757  
758  
759  
760  
761  
762  
763  
764  
765  
766  
767  
768  
769  
770  
771  
772  
773  
774  
775  
776  
777  
778  
779  
780  
781  
782  
783  
784  
785  
786  
787  
788  
789  
790  
791  
792  
793  
794  
795  
796  
797  
798  
799  
800  
801  
802  
803  
804  
805  
806  
807  
808  
809  
810  
811  
812  
813  
814  
815  
816  
817  
818  
819  
820  
821  
822  
823  
824  
825  
826  
827  
828  
829  
830  
831  
832  
833  
834  
835  
836  
837  
838  
839  
840  
841  
842  
843  
844  
845  
846  
847  
848  
849  
850  
851  
852  
853  
854  
855  
856  
857  
858  
859  
860  
861  
862  
863  
864  
865  
866  
867  
868  
869  
870  
871  
872  
873  
874  
875  
876  
877  
878  
879  
880  
881  
882  
883  
884  
885  
886  
887  
888  
889  
890  
891  
892  
893  
894  
895  
896  
897  
898  
899  
900  
901  
902  
903  
904  
905  
906  
907  
908  
909  
910  
911  
912  
913  
914  
915  
916  
917  
918  
919  
920  
921  
922  
923  
924  
925  
926  
927  
928  
929  
930  
931  
932  
933  
934  
935  
936  
937  
938  
939  
940  
941  
942  
943  
944  
945  
946  
947  
948  
949  
950  
951  
952  
953  
954  
955  
956  
957  
958  
959  
960  
961  
962  
963  
964  
965  
966  
967  
968  
969  
970  
971  
972  
973  
974  
975  
976  
977  
978  
979  
980  
981  
982  
983  
984  
985  
986  
987  
988  
989  
990  
991  
992  
993  
994  
995  
996  
997  
998  
999  
1000

Approved as to form and legality  
this 23rd day of October, 1979.  
  
\_\_\_\_\_  
John H. Logan, Attorney for Common Council

Read the first time in full and on motion by \_\_\_\_\_, seconded by \_\_\_\_\_, and duly adopted, read the second time by title and referred to the Committee on \_\_\_\_\_ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: \_\_\_\_\_

CITY CLERK

Read the third time in full and on motion by \_\_\_\_\_, seconded by \_\_\_\_\_, and duly adopted, placed on its passage.

PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u>1</u>	_____	_____	_____
<u>BURNS</u>	<u>X</u>	_____	_____	_____	_____
<u>HINGA</u>	<u>X</u>	_____	_____	_____	_____
<u>HUNTER</u>	<u>X</u>	_____	_____	_____	_____
<u>MOSES</u>	<u>X</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	_____	<u>X</u>	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	<u>X</u>	_____	_____	_____	_____
<u>STIER</u>	<u>X</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>X</u>	_____	_____	_____	_____

DATE: 10-23-79

CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) ~~(GENERAL)~~ (ANNEXATION) ~~(SPECIAL)~~ (APPROPRIATION) ORDINANCE (RESOLUTION) No. X-08-79 on the 23rd day of October, 1979.  
ATTEST: (SEAL)

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of October, 1979, at the hour of 11:30 o'clock A. M., E.S.T.

CITY CLERK

Approved and signed by me this 29th day of October, 1979, at the hour of 9 o'clock \_\_\_\_\_ M., E.S.T.

MAYOR

SUSPENSION OF RULES

BILL NO. X-79-10-31

Councilman Stier, moved to suspend the rules on passage of BILL NO. X-79-10-31, at this meeting of October 23, 1979, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Hinga, and duly passed by unanimous vote of all legally elected members of the said Common Council.

The above BILL and Annexation ORDINANCE was accordingly placed on its passage.

DATE: 10-23-79

Charles W. Westerman  
CITY CLERK

Winfield C. Moore JR  
PRESIDING OFFICER

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT
	<u>9</u>	<u>0</u>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<u>BURNS</u>	<u>X</u>	—	—	—	—
<u>HINGA</u>	<u>X</u>	—	—	—	—
<u>HUNTER</u>	<u>X</u>	—	—	—	—
<u>MOSES</u>	<u>X</u>	—	—	—	—
<u>NUCKOLS</u>	<u>X</u>	—	—	—	—
<u>D. SCHMIDT</u>	<u>X</u>	—	—	—	—
<u>V. SCHMIDT</u>	<u>X</u>	—	—	—	—
<u>STIER</u>	<u>X</u>	—	—	—	—
<u>TALARICO</u>	<u>X</u>	—	—	—	—

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana,  
as Annexation Ordinance No. X-08-79

ATTEST:

(SEAL)

DATE: 10-23-79

Charles W. Westerman  
CITY CLERK

4647  
TITLE OF ORDINANCE SPECIAL ORDINANCE - CITY UTILITIES PURCHASE ORDER NO. 1393 - INTERNATIONAL HARVESTER CO.

DEPARTMENT REQUESTING ORDINANCE BOARD OF PUBLIC WORKS

SYNOPSIS OF ORDINANCE CITY UTILITIES PURCHASE ORDER NO. 1393 TO INTERNATIONAL HARVESTER CO.

IN AMOUNT OF \$19,101.56 FOR ONE 1980 DUMP TRUCK COMPLETE WITH DUMP BODY AND HOIST FOR THE  
FILTRATION PLANT.

(MEMORANDUM AND PURCHASE ORDER ATTACHED)

EFFECT OF PASSAGE ACQUISITION OF DUMP TRUCK NEEDED BY FILTRATION PLANT

EFFECT OF NON-PASSAGE

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) \$19,101.56 FROM CITY UTILITIES

ASSIGNED TO COMMITTEE



OFFICE OF THE CITY CLERK

## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

charles w. westerman, clerk - room 122

November 8, 1979

Ms. Virginia Grace  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. Grace:

14 Please give the attached full coverage on the dates of November  
and November 21, 1979, in both the News Sentinel and Journal  
Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, IN

Bill No. X-79-06-33 (as amended)  
Annexation Ordinance No. X-07-79  
Bill No. X-79-10-33  
Annexation Ordinance No. X-10-79

Bill No. X-77-06-27 (as amended)  
Annexation Ordinance No. X-05-79  
Bill No. X-79-10-31  
Annexation Ordinance No. X-08-79

Bill No. X-77-07-45 (as amended)  
Annexation Ordinance No. X-06-79  
Bill No. X-79-10-32  
Annexation Ordinance No. X-09-79

Bill No. G-79-08-21 (AS AMENDED) (AS AMENDED)  
General Ordinance No. G-24-79

Bill No. G-79-10-11  
General Ordinance No. G-23-79

November 8, 1979

Page 2

Please send us five (5) copies of each of the above the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

*Charles W. Westerman*

Charles W. Westerman  
City Clerk

CWW/ne

ENCL: 5

porate Limit, thence in a northerly direction following the meanderings of the center line of the St. Joseph River to its intersection with a projection east of the north line of Concordia Gardens Addition; thence west along said projection and the north line of Concordia Gardens Addition to the east right-of-way line of Leo Road; thence southerly along the east right-of-way line of Leo Road to the south right-of-way line of Auburn Road; thence northwesterly along south right-of-way of Auburn Road to east right-of-way line of Interstate Highway 69; thence southwesterly along east right-of-way line of Interstate Highway 69 to its intersection with the present Corporate Limits, a point approximately 197.5 feet north of the south line of the NE 1/4 of Section 13, T 31 N, R 12 E; thence east along said line to the east right-of-way line of Red Haw Drive; thence south along east right-of-way line of Red Haw Drive to the intersection of the west right-of-way line of N. Clinton Street (Leo Road) the point of beginning. An area of approximately 355 acres more or less.

SECTION 2. It is the policy of the City of Fort Wayne to furnish the above described territory within a period of three (3) years, governmental and proprietary services substantially equivalent in standard and scope to the governmental and proprietary services furnished by the annexing city to other areas of the city which have characteristics of topography, patterns of land utilization and population density similar to said described territory.

SECTION 3. Governmental and proprietary services which will be provided to the described territory are outlined in the fiscal plan for the territory developed by the Department of Community Development and Planning, which plan was examined, approved and adopted by the Common Council prior to the passage of this Ordinance.

SECTION 4. Said described territory shall be part of Councilmatic District No. 3 of the City of Fort Wayne, Indiana, as described in Section 2-9 of Article II of the Code of the City of Fort Wayne, Indiana 1974.

SECTION 5. After its passage, approval by the Mayor and sixty days after final publication thereof as required by law, this Ordinance shall be in full force and effect on December 31, 1979. James S. Stier, Councilman.

Read the third time in full and on motion by Stier, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Six; Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico, Nays: Three; Burns, Hinga, Nuckols.

Date: 9-25-79 Charles W. Westerman "City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-05-79 on the 25th day of September, 1979.

ATTEST: I SEAL

Charles W. Westerman City Clerk, Winfield C. Moses, Jr. Presiding Officer.

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of September, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman City Clerk

Approved and signed by me this 28th day of September, 1979, at the hour of 4:30 o'clock P.M., E.S.T.

Robert E. Armstrong Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above foregoing is a full, true and complete copy of Annexation Ordinance No. X-05-79 passed by the Common Council on the 25th day of September, 1979, and that said Ordinance was duly signed and approved by the Mayor on the 28th day of September, 1979 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 28th day of September, 1979.

CHARLES W. WESTERMAN CITY CLERK

Notice is hereby given that on the 22nd day of October, 1979, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following BILL NO. X-79-10-31 X-08-79 Annexation Ordinance, to-wit:

BILL NO. X-79-10-31

ANNEXATION ORDINANCE NO. X-08-79

AN ORDINANCE

AMENDING

ANNEXATION ORDINANCE NO. X-05-79 AS AMENDED.

WHEREAS, heretofore on September 25, 1979, the Common Council of the City of Fort Wayne did pass Ordinance No. X-05-79, as Amended; and

WHEREAS, said Ordinance was duly presented to the Mayor of the City of Fort Wayne on September 28, 1979, and approved and signed by the Mayor of the City of Fort Wayne, on September 28, 1979 at 4:30 o'clock P.M., E.S.T.; and

WHEREAS, said Ordinance as subsequently amended was received by the Common Council of the City of Fort Wayne from the City Plan Commission prior to September 1, 1979; and

WHEREAS, the law of the State of Indiana was changed affecting annexations occurring after September 1, 1979 by IC 18-5-10-25 in that the provisions of Section 2 of said Annexation Ordinance No. X-05-79, as Amended "were no longer applicable; and

WHEREAS, in keeping with policy of the City Plan Commission adopted subsequent to the enactment of said IC 18-5-10-25 said Section 2 in said Ordinance would no longer be applicable, but a new Section 2 should be substituted herefor; and

WHEREAS, said City Plan Commission did recommend that a new Section 2 be substituted for said Section 2, as set forth in Annexation Ordinance No. X-05-79, as Amended, but through error and inadvertence the Common Council of the City of Fort Wayne failed to include said new Section 2, said line in the old Section 2 which is no longer the fiscal policy of the City of Fort Wayne, nor the law of the State of Indiana;

NOW THEREFORE, in order to conform with the Indiana State Law IC 18-5-10-25 and the policy of the City of Fort Wayne

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE that Section 2 of Annexation Ordinance No. X-05-79 as Amended be deleted in its entirety and the following new Section 2 be substituted in lieu thereof as follows:

SECTION 2. It is the policy of the City of Fort Wayne to furnish the above described territory within a period of one (1) year governmental services of a non-capital nature in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City which have similar topography, patterns of land utilization, and population density to the said described territory. It is also the policy of the City of Fort Wayne to provide services of a capital improvement nature to the annexed territory within three (3) years in the same manner as such services are provided to areas already in the City with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state, and local laws, procedures and planning criteria.

In all other respects except as hereinabove amended, said Annexation Ordinance No. X-05-79 as Amended shall be in full force and effect.

## PUBLISHER'S CLAIM

Actual lines, neither of which shall total more than four solid lines the advertisement is set) - number of equivalent lines

292 equivalent lines at .259¢ \$ 75.63

or tabular work (50 per cent of above amount)

3 extra 1.50

\$ 77.13

Size of type..... 5 1/2 ..... point

Size of quad upon which type is cast. 5 1/2 .....

ext, that the amount claimed is legally due, after allowing all just credits, and that no part of the same

Form Prescribed by S

General Form No. 99 P (Rev. 1967)

To..... JOURNAL-GAZETTE ..... Dr

FORT WAYNE, INDIANA

LINE COUNT

Display

Head

Body

Tail

COMPUTATION OF CH

292

Additions

Charge for

DATA FOR COMPUT

Width of

Number

Pursuant to the provisio

I hereby certify that the has been paid.



Form Prescribed by Sta

General Form No. 99 P (Rev. 1967)

Fort Wayne

(Gov

Allen

To JOURNAL-GAZETTE

Dr

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display

Head

Body

Tail

COMPUTION OF CH

292

292

259

75.63

Additional

Charge for

DATA FOR COMPUT

Width of

Number

Pursuant to the provisio

I hereby certify that the has been paid.

Date Nov. 21

Title CLERK

PUBLISHER'S AFFIDAVIT

Indiana

County SS:

I appeared before me, a notary public in and for said county and state, the ARVILLA DEWALD

who, being duly sworn, says

JOURNAL-GAZETTE

DAILY newspaper of general circulation printed and published

English language in the city of FORT WAYNE, INDIANA

town of

and county aforesaid, and that the printed matter attached hereto is a true copy,

and duly published in said paper for two times, the dates of publication being

11/14 - 11/21/79

and sworn to before me this 21 st

My commission expires September 28, 1983

Notice is hereby given that on the 23rd day of October, 1979, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following BILL NO. X-79-10-31 X-08-79 Annexation Ordinance, to-wit:

BILL NO. X-79-10-31 ANNEXATION ORDINANCE NO. X-08-79 AN ORDINANCE AMENDING AN ANNEXATION ORDINANCE NO. X-05-79, AS AMENDED.

WHEREAS, said Ordinance as subsequently amended was received by the Common Council of the City of Fort Wayne from the City Plan Commission prior to September 1, 1979; and

WHEREAS, the law of the State of Indiana was changed affecting annexations occurring after September 1, 1979 by IC 18-5-10-25 in that the provisions of Section 2 of said Annexation Ordinance No. X-05-79, as Amended "were no longer applicable; and

WHEREAS, in keeping with policy of the City Plan Commission adopted subsequent to the enactment of said IC 18-5-10-25 said Section 2 in said Ordinance would no longer be applicable, but a new Section 2 should be substituted therefor; and

WHEREAS, said City Plan Commission did recommend that a new Section 2 be substituted for said Section 2, as set forth in Annexation Ordinance No. X-05-79, as Amended, but through error and inadvertence the Common Council of the City of Fort Wayne failed to include said new Section 2 which is no longer the fiscal policy of the City of Fort Wayne, nor the law of the State of Indiana;

NOW THEREFORE in order to conform with the Indiana State Law IC 18-5-10-25 and the policy of the City of Fort Wayne:

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, Indiana, that said Annexation Ordinance No. X-05-79 as Amended be deleted in its entirety and the following new Section 2 be substituted in lieu thereof as follows:

SECTION 2. It is the policy of the City of Fort Wayne to furnish the above described territory within a period of one (1) year governmental services of a non-capital nature in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the city which have similar topography, patterns of land utilization, and population density to the said described territory. It is also the policy of the City of Fort Wayne to provide services of a capital improvement nature to the annexed territory within three (3) years in the same manner as such services are provided to areas already in the City with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state, and local laws, procedures and planning criteria.

All other respects except as hereinabove amended, said Annexation Ordinance No. X-05-79 as Amended shall be in full force and effect as therein provided.

James S. Siler, Councilman, Read the third time in full and on motion by Siler, seconded by Hinga, and duly adopted, placed on its passage, PASSED by the following vote:

Ayes: Eight, Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Siler, Talarico.

Nays: One, Nickols.

Date: 10-23-79 Charles W. Westerman, City Clerk.

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-08-79 on the 23rd day of October, 1979.

ATTEST: (SEAL) Charles W. Westerman, City Clerk.

Witnessed by: Charles W. Westerman, City Clerk.

Witnessed by: Charles W. Westerman, City Clerk.

Witnessed by: Charles W. Westerman, City Clerk.

Witnessed by: Charles W. Westerman, City Clerk.

Witnessed by: Charles W. Westerman, City Clerk.

Witnessed by: Charles W. Westerman, City Clerk.

Witnessed by: Charles W. Westerman, City Clerk.

Witnessed by: Charles W. Westerman, City Clerk.

Witnessed by: Charles W. Westerman, City Clerk.

Witnessed by: Charles W. Westerman, City Clerk.

Witnessed by: Charles W. Westerman, City Clerk.

Witnessed by: Charles W. Westerman, City Clerk.

Witnessed by: Charles W. Westerman, City Clerk.

Witnessed by: Charles W. Westerman, City Clerk.

Witnessed by: Charles W. Westerman, City Clerk.

Witnessed by: Charles W. Westerman, City Clerk.

Witnessed by: Charles W. Westerman, City Clerk.

Witnessed by: Charles W. Westerman, City Clerk.

Notice is hereby given that on the 25th day of September, 1979, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following BILL NO. X-77-06-27 (AS AMENDED) X-05-70 Annexation Ordinance, to-wit:

BILL NO. X-77-06-27 "ANNEXATION ORDINANCE NO. X-05-70"

AN ORDINANCE annexing certain territory to the City of Fort Wayne, Indiana, in a Regular Session did pass the following BILL NO. X-77-06-27 (AS AMENDED) X-05-70 Annexation Ordinance, to-wit:

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. That the following described territory be, and the same is hereby, annexed to the north line projected west from the north property line of Concordia Senior College and a line projected east to the normal centerline of the St. Joseph River, this line being the present Cor-

recting line of the City of Fort Wayne, Indiana, effective December 31, 1979 to-wit:

Commencing at the intersection of the east right-of-way line of N. Clinton Street (Leo Road); thence north, east along the west right-of-way line of N. Clinton Street (Leo Road) to the north line projected west from the north property line of Concordia Senior College and a line projected east to the normal centerline of the St. Joseph River, this line being the present Cor-

recting line of the City of Fort Wayne, Indiana, effective December 31, 1979 to-wit:

Commencing at the intersection of the east right-of-way line of N. Clinton Street (Leo Road); thence north, east along the west right-of-way line of N. Clinton Street (Leo Road) to the north line projected west from the north property line of Concordia Senior College and a line projected east to the normal centerline of the St. Joseph River, this line being the present Cor-

recting line of the City of Fort Wayne, Indiana, effective December 31, 1979 to-wit:

Commencing at the intersection of the east right-of-way line of N. Clinton Street (Leo Road); thence north, east along the west right-of-way line of N. Clinton Street (Leo Road) to the north line projected west from the north property line of Concordia Senior College and a line projected east to the normal centerline of the St. Joseph River, this line being the present Cor-

recting line of the City of Fort Wayne, Indiana, effective December 31, 1979 to-wit:

Commencing at the intersection of the east right-of-way line of N. Clinton Street (Leo Road); thence north, east along the west right-of-way line of N. Clinton Street (Leo Road) to the north line projected west from the north property line of Concordia Senior College and a line projected east to the normal centerline of the St. Joseph River, this line being the present Cor-

WHEREAS, said Ordinance was duly presented to the Mayor of the City of Fort Wayne on September 26, 1979, and approved and signed by the Mayor of the City of Fort Wayne, on September 28, 1979 at 4:30 o'clock P.M., E.S.T.; and

WHEREAS, said Ordinance as subsequently amended was received by the Common Council of the City of Fort Wayne from the City Plan Commission prior to September 1, 1979; and

WHEREAS, the law of the State of Indiana was changed affecting annexations occurring after September 1, 1979 by IC 18-5-10-25 in that the provisions of Section 2 of said Annexation Ordinance No. X-05-79, as Amended, were no longer applicable; and

WHEREAS, in keeping with policy of the City Plan Commission adopted subsequent to the enactment of said IC 18-5-10-25 said Section 2 in said Ordinance would no longer be applicable, but a new Section 2 should be substituted therefor; and

WHEREAS, said City Plan Commission did recommend that a new Section 2 be substituted for said Section 2, as set forth in Annexation Ordinance No. X-05-79, as Amended, but through error and inadvertence the Common Council of the City of Fort Wayne failed to include said new Section 2, but did include the said Section 2 which is no longer the fiscal policy of the City of Fort Wayne, nor the law of the State of Indiana

NOW THEREFORE in order to conform with the Indiana State Law IC 18-5-10-25 and the policy of the City of Fort Wayne

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE that Section 2 of Annexation Ordinance No. X-05-79 as Amended be deleted in its entirety and the following new Section 2 be substituted in lieu thereof as follows:

SECTION 2. It is the policy of the City of Fort Wayne to furnish the above described territory within a period of one (1) year governmental services of a non-capital nature in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City which have similar topography, patterns of land utilization, and population density to the said described territory. It is also the policy of the City of Fort Wayne to provide services of a capital improvement nature to the annexed territory within three (3) years in the same manner as such services are provided to areas already in the City with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state, and local laws, procedures and planning criteria.

In all other respects except as hereinabove amended, said Annexation Ordinance No. X-05-79 as Amended shall be in full force and effect as therein provided.

James S. Stier, Councilman  
Read the third time in full and on motion by Stier, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:  
Ayes: Eight, Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico.

Nays: One, Nuckolls.  
Date: 10-23-79 Charles W. Westernman City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-06-79 on the 23rd day of October, 1979

ATTEST: (SEAL)  
Charles W. Westernman City Clerk  
Winifred C. Moses, Jr., Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of October, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westernman City Clerk  
Approved and signed by me this 29th day of October, 1979, at the hour of 9:00 o'clock A.M., E.S.T.

Robert E. Armstrong Mayor  
I, Charles W. Westernman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-06-79 passed by the Common Council on the 23rd day of October, 1979, and that said Ordinance was duly signed and approved by the Mayor on the 29th day of October, 1979 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 29th day of October, 1979.  
CHARLES W. WESTERMAN  
CITY CLERK

11-14-21.

Notice is hereby given that on the 25th day of September, 1979, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following BILL NO. X-77-06-27 (AS AMENDED) X-05-79 Annexation Ordinance, to-wit:

BILL NO. X-77-06-27  
NO. X-05-79

"ANNEXATION ORDINANCE  
AN ORDINANCE annexing certain territory to the City of Fort Wayne, and including the same in Councilmanic District No. 2.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. That the following described territory be, and the same is hereby, annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, effective December 31, 1979 to-wit:

Commencing at the intersection of the east right-of-way line of N. Clinton Street (Leo Road); thence north-east along the west right-of-way line of N. Clinton Street (Leo Road) to a line projected west from the north property line of Concordia Senior College; thence east along said projected line and continuing along north property line of Concordia Senior College and a line projected east to the normal centerline of the St. Joseph River; this line being the present Corporate Limits; thence in a northerly direction following the meanderings of the centerline of the St. Joseph River to its intersection with a projection east of the north line of Concordia Gardens Addition; thence west along said projection and the north line of Concordia Gardens Addition to the east right-of-way line of Leo Road; thence southerly along the east right-of-way line of Leo Road to the south right-of-way line of Auburn Road; thence northwesterly along south right-of-way of Auburn Road to east right-of-way line of Interstate Highway 69; thence southwesterly along east right-of-way line of Interstate Highway 69 to its intersection with the present Corporate Limits; a point approximately 192.3 feet north of the south line of the NE ¼ of Section 12, 21, 31 R. 12; thence east along said line to the east right-of-way line of Reed Haw Drive; thence south along east right-of-way line of Reed Haw Drive to the intersection of the east right-of-way line of N. Clinton Street (Leo Road) the point of beginning. An area of approximately 25.6 acres more or less.

SECTION 2. It is the policy of the City of Fort Wayne to furnish the above described territory within a period of one (1) year governmental and proprietary services substantially equivalent in standard and scope to the governmental and proprietary services furnished by the annexing city to other areas of the city which have characteristics of topography, patterns of land utilization and population density similar to said described territory.

SECTION 3. Governmental and proprietary services which will be provided to the described territory are outlined in the fiscal plan for the territory developed by the Department of Community Development and Planning, which plan was examined, approved and adopted by the Common Council prior to the passage of this Ordinance.

SECTION 4. Said described territory shall be a part of Councilmanic District No. 2 of the City of Fort Wayne, Indiana, as described in Section 2 of Article II of the Code of the City of Fort Wayne, Indiana 1975.

SECTION 5. After its passage, approval by the Mayor and sixty days after final publication thereof as required by law, this Ordinance shall be in full force and effect on December 31, 1979. James S. Stier, Councilman

Read the third time in full and on motion by Stier, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Six, Hunter, Moses, D. Schmidt, V. Schmidt, Stier, Talarico.

General Form No. 99, Pp. (Rev. 1967)

To.....NEWS-SENTINEL.....Dr.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

ter (Must not exceed two actual lines, neither of which shall total more than four solid lines the type in which the body of the advertisement is set) - number of equivalent lines

number of lines

number of lines

number of lines

total number of lines in notice

GES

..... 1 ..... 292 ..... .259¢ ..... 75.63  
cents per line

charge for notices containing rule or tabular work (50 per cent of above amount)

extra proofs of publication (50 cents for each proof in excess of two) 3 extra 1.50

TOTAL AMOUNT OF CLAIM. \$ 77.13

G COST

single column 9.9 cms Size of type ..... 5 1/2 ..... point

insertions 2 ..... Size of quad upon which type is cast, 3 1/2 .....

and penalties of Ch. 89., Acts 1967.

agoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same

James S. Stiler, Councilman  
Read the third time in full and on motion by Stiler, seconded by Hinga, and duly adopted, placed on its passage PASSED by the following vote:  
Ayes: Eight, Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt, Stiler, Talarico.  
Nays: One, Nuckolls.  
Date: 10-23-79 Charles W. Westerman City Clerk  
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-68-79 on the 23rd day of October, 1979.  
ATTEST: (SEAL)  
Charles W. Westerman City Clerk  
Winifred C. Moses, Jr. Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of October, 1979, at the hour of 11:30 o'clock A.M., E.S.T.  
Charles W. Westerman City Clerk  
Approved and signed by me this 29th day of October, 1979, at the hour of 9:00 o'clock A.M., E.S.T.  
Robert E. Armstrong Mayor  
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-68-79 passed by the Common Council on the 23rd day of October, 1979, and that said Ordinance was duly signed and approved by the Mayor on the 29th day of October, 1979 and now remains on file and on record in my office.  
WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 29th day of October, 1979.  
CHARLES W. WESTERMAN  
CITY CLERK  
11-1421.

General Form No. 99 P (Rev. 1967)

To.....NEWS-SENTINEL.....Dr.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

ter (Must not exceed two actual lines, neither of which shall total more than four solid lines  
be type in which the body of the advertisement is set) - number of equivalent lines

umber of lines	
umber of lines	290
number of lines	2
total number of lines in notice	292
GES	
lines..... 1..... columns wide equals..... 292..... equivalent lines at..... .259¢.....	\$ 75.63
cents per line	

charge for notices containing rule or tabular work (50 per cent of above amount)

extra proofs of publication (50 cents for each proof in excess of two) 3 extra	1.50
TOTAL AMOUNT OF CLAIM.	\$ 77.13

G COST

gle column 9.9 cms Size of type..... 5 1/2..... point

nsertions..... 2..... Size of quad upon which type is cast..... 5 1/2.....

nd penalties of Ch. 89., Acts 1967.

going account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same

*R. E. Stiler*

79

Title.....CLERK

## PUBLISHER'S AFFIDAVIT

State of Indiana  
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned..... V. E. GERKEN..... who, being duly sworn, says that she is..... CLERK..... of the

NEWS-SENTINEL

a..... DAILY..... newspaper of general circulation printed and published in the English language in the city of..... FORT WAYNE, INDIANA..... in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for..... two times....., the dates of publication being as follows:

11/14 - 11/21/79

Subscribed and sworn to before me this

21 st

day of November 79

My commission expires.....

September 28, 1983

Notary Public

Notice is hereby given that on the 25th day of September, 1979, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following BILL NO. X-77-62-77 (AS AMENDED) X-65-70 Annexation Ordinance, to-wit:

BILL NO. X-77-62-77 (AS AMENDED)  
"ANNEXATION ORDINANCE NO. X-65-70"

AN ORDINANCE annexing certain territory to the City of Fort Wayne, Indiana, including the same in Councilman District No. 3.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. That the following described territory be, and the same is hereby, annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, effective December 31, 1979 to-wit:

Commencing at the intersection of the east right-of-way line of N. Clinton Street (Leo Road); thence north-east along the west right-of-way line of N. Clinton Street (Leo Road) to a line projected west from the north property line of Concordia Senior College; thence east along said projected line and continuing along north property line of Concordia Senior College and a line projected east to the normal centerline of the St. Joseph River; this line being the present Corporate Limits; thence in a northerly direction following the meanderings of the centerline of the St. Joseph River to its intersection with a projection east of the north line of Concordia Gardens Addition; thence west along said projection and the north line of Concordia Gardens Addition to the east right-of-way line of Leo Road; thence southerly along the east right-of-way line of Leo Road to the south right-of-way line of Auburn Road; thence northwesterly along south right-of-way of Auburn Road to east right-of-way line of Interstate Highway 69; thence southwesterly along east right-of-way line of Interstate Highway 69 to its intersection with the present Corporate Limits, a point approximately 1001.5 feet north of the south line of the NE 1/4 of Section 13, T 31 N, R 12 E; thence east along said line to the east right-of-way line of Red Haw Drive; thence south along east right-of-way line of Red Haw Drive to the intersection of the west right-of-way line of N. Clinton Street (Leo Road) the point of beginning. An area of approximately 65.5 acres more or less.

SECTION 2. It is the policy of the City of Fort Wayne to furnish the above described territory within a period of three (3) years, governmental and proprietary services substantially equivalent in standard and scope to the governmental and proprietary services furnished by the annexing city to other areas of the city which have characteristics of topography, patterns of land utilization and population density similar to said described territory.

SECTION 3. Governmental and proprietary services which will be provided to the described territory are outlined in the fiscal plan for the territory developed by the Department of Community Development and Planning, which plan was examined, approved and adopted by the Common Council prior to the passage of this Ordinance.

SECTION 4. Said described territory shall be part of Councilman District No. 3 of the City of Fort Wayne, Indiana, as described in Section 2-9 of Article II of the Code of the City of Fort Wayne, Indiana 1974.

SECTION 5. After its passage, approval by the Mayor and sixty days after final publication thereof as required by law, this Ordinance shall be in full force and effect on December 31, 1979. James S. Stiler, Councilman

Read the third time in full and on motion by Stiler, seconded by Talarico, and duly adopted, placed on its passage PASSED by the following vote:

Ayes: Six; Hunter, Moses, D. Schmidt, V. Schmidt, Stiler, Talarico.  
Nays: Three; Burns, Hinga, Nuckolls.

Date: 9-25-79 Charles W. Westerman "City Clerk"

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-68-79 on the 23rd day of September, 1979.

ATTEST: (SEAL)  
Charles W. Westerman City Clerk  
Winifred C. Moses, Jr. Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of September, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman City Clerk  
Approved and signed by me this 28th day of September, 1979, at the hour of 4:30 o'clock P.M., E.S.T.

Robert E. Armstrong Mayor  
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-68-79 passed by the Common Council on the 23rd day of September, 1979, and that said Ordinance was duly signed and approved by the Mayor on the 28th day of September, 1979 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 28th day of September, 1979.

CHARLES W. WESTERMAN  
CITY CLERK

Notice is hereby given that on the 23rd day of October, 1979, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following BILL NO. X-79-10-31 X-68-79 as Amended, Ordinance, to-wit:

BILL NO. X-79-10-31  
ANNEXATION ORDINANCE NO. X-68-79

AN ORDINANCE AMENDING ANNEXATION ORDINANCE NO. X-65-79, AS AMENDED.

WHEREAS, heretofore on September 25, 1979, the Common Council of the City of Fort Wayne did pass Ordinance No. X-68-79, as Amended, and